

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY

&

THE HONOURABLE MR. JUSTICE V.GIRI

FRIDAY, THE 10TH AUGUST 2007 / 19TH SRAVANA 1929

MACA.No. 1455 of 2007()

OPMV.27/2001 of MOTOR ACCIDENT CLAIMS TRIBUNAL, KOZHIKODE

APPELLANT/PETITIONER IN OP(MV)

**JAYAPRAKASH, S/O.NARAYANAN, AGED 36
YEARS, RESIDING AT PAYYARAYIL HOUSE,
CHELANNUR P.O., KOZHIKODE.**

**BY ADV. SMT.LATHA PRABHAKARAN
SRI.K.M.JAMALUDHEEN**

RESPONDENTS: RESPONDENTS IN OP(MV)

- 1. K.MOHANDAS, RESIDING AT LYNWOOD,
JAWAHAR COLONY, NADAKKAV POST, KOZHIKODE,**
- 2. BALAN NAIR, S/O.CHEKKUNNI, AGED 69
YEARS, RESIDING AT PUTHALATH HOUSE,
CHELANNUR, KOZHIKODE.**
- 3. THE UNITED INDIA INSURANCE COMPANY
LIMITED, BRANCH OFFICE, BRANCH OFFICE,
CHEROOTY ROAD, KOZHIKODE.**

BY

**THIS MOTOR ACCIDENT CLAIMS APPEAL HAVING COME UP FOR
ADMISSION ON 10/08/2007, THE COURT ON THE SAME DAY
PASSED THE FOLLOWING:**

J.B.KOSHY & V.GIRI, JJ.

M.A.C.A.No.1455 of 2007 G

Dated this the 10th day of August, 2007.

JUDGMENT

KOSHY, J.

The appellant met with a motor accident. As per the wound certificate, he had suffered only a lacerated wound and fractures of the left clavicle and fracture of the second rib. The tribunal awarded Rs.15,000/- for pain and suffering. He did not lose the job and no permanent disability certificate was produced. Therefore, for disability and loss of earning capacity, no amount was awarded. He was hospitalised only for 3 three days. He was granted Rs.3,000/- for loss of earning and for loss of amenities and inconvenience Rs.3,000/- was awarded. Total compensation awarded is Rs.30,500/-. We are of the opinion that just and reasonable compensation is awarded considering the nature of the injuries. Appeal, therefore, fails and it is accordingly dismissed.

Sd/-
(J.B.KOSHY)
JUDGE

Sd/-
(V.GIRI)
JUDGE

sk/

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